



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,536	03/27/2006	Hee-Kyung Lee	CU-4748 WWP	5461

26530 7590 02/14/2011
LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO, IL 60604

EXAMINER

BENGZON, GREG C

ART UNIT	PAPER NUMBER
----------	--------------

2444

MAIL DATE	DELIVERY MODE
-----------	---------------

02/14/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/573,536	LEE ET AL.	
	Examiner	Art Unit	
	GREG BENZON	2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/01/2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-39,41-49,51-57 and 59-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-39,41-49,51-57 and 59-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/23/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined. Claims 32-39,41-49,51-57,59-67 are pending. Claims 40,50,58 are cancelled.

Making Final

Applicant's arguments filed 12/01/2010 have been fully considered but they are not persuasive.

The claim amendments regarding -- *'wherein the relation metadata include temporal relation information based on contents consumption such that the temporal relation information describes a temporal sequence for the user's particular device'* -- and -- *'the spatial relation information is also based on the contents consumption such that the spatial relation information describes relative location for the user particular device, wherein the content consumption is configured based on the targeting condition metadata for the described conditions'* -- alter the literal scope of the independent and dependent claims and/or the range of equivalents for such claims. The said amendments alter the scope of the claims but do not overcome the disclosure by the prior art as shown below.

The Examiner is maintaining the rejection(s) using the same grounds for rejection and thus making this action FINAL.

Priority

This application claims benefits of priority from Foreign Application 10-2003-0067204 (KOREA) filed September 27, 2003.

The effective date of the claims described in this application is September 27, 2003.

Response to Arguments

Applicant's arguments filed 12/01/2010 have been fully considered but they are not persuasive.

Applicant presents the following argument(s) [*in italics*]:

...[Lamkin does not disclose] *wherein the spatial relation information describes relative location, and wherein the content consumption is configured based on the targeting condition metadata for the described conditions... The examiner interprets the claimed spatial relationship as regarding specific region on the display screen for multiple sub-window..., which the applicants believe appropriate content of package metadata is not received at the user's device being based on the user's own environment...*

The Examiner respectfully disagrees with the Applicant.

The Examiner notes that the claim language does not indicate what the term '*relative location*' is describing, and thus presents an open-ended condition, such that a

Art Unit: 2444

person of ordinary skill in the networking art would naturally have to ask the question , 'Relative to what?' and speculate on the answer.

The Examiner respectfully requests the applicant to clarify these remarks. While the Examiner appreciates the description of TV-Anytime service the Examiner notes that the Applicant remarks do not indicate the pertinent portions of the Specification providing support for the limitation *wherein the spatial relation information describes relative location*.

As the Examiner has shown in the prior office action and repeated below, Lamkin metadata disclosed spatial metadata describing *relative locations (on the display screen of the device) of the contents consumption*. Thus Lamkin disclosed *wherein the spatial relation information describes relative location*.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *appropriate content of package metadata is received at the user's device being based on the user's own environment*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Applicant remarks appear to indicate wherein the relative location is referring to the physical and natural environment of the viewer.

Lamkin Paragraph 138 describes where the media subsystem 302 controls the display of content based upon the presentation device 310 available and the outside environment the presentation device is being viewed in.

Thus Lamkin Paragraph 138 disclosed wherein *appropriate content of package metadata is received at the user's device being based on the user's own environment.*

Applicant presents the following argument(s) [*in italics*]:

[Lamkin does not disclose]... *package description information for selecting a package desired by a user and describing general information on an individual package to check whether the selected package can be acquired; and container metadata for describing...*

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *package description information for selecting a package desired by a user and describing general information on an individual package to check whether the selected package can be acquired; and container metadata for describing*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant presents the following argument(s) [*in italics*]:

... Lamkin only discloses temporal information (i.e.; no spatial relationship) by showing each entity according to the master timeline. Lamkin can not disclose "spatial relation information for describing relative locations of the contents consumption", because the showing of each entity according to the master timeline described by Lamkin is not for describing relative locations of the contents consumption but for explaining temporal information...

The Examiner respectfully disagrees with the Applicant.

The Examiner interprets the spatial relationship as regarding specific region on the display screen for multiple sub-window as per Applicant Specification Table 11 Page 24.

Lamkin Paragraph 381 disclosed wherein the metadata includes, for example, a location of the entity which is used by the content manager to properly place the entity within a collection and is also is used to stitch the varies entities within a collection together using a declarative language model, where each element in the XML file instructs the system what is to be shown at a specific time along a master timeline to further allow real-time, retrieval, rendering and stitching of entities.

Lamkin Paragraph 16-117, Figure 11, Figure 24-26, Paragraph 530, Paragraph 536 disclosed wherein the presentation layout engine 216 determines where on the presentation device different entities within a collection will be displayed by reading collection metadata and/or entity metadata. The content manager 470 delivers to the presentation layout manager 462 the information to display the entities on the screen and controls the positioning, layers, overlays, and overall output of the presentation

Art Unit: 2444

layout manager 462. The sub windows are maintained in a separate frame buffer from the content area and its orientation is sent to the compositor (in X, Y coordinates) for the compositor to move and refresh.

Thus the Lamkin metadata disclosed spatial metadata describing *relative locations (on the display screen of the device) of the contents consumption.*

The Applicant presents the following argument(s) [*in italics*]:

... claims have been amended to generate the content for a respective user terminal without receiving a request and without any need for searching for the determined content for providing the respective content matched to the respective terminal.

Lamkin must receive a "request" for content from a "terminal", then "search" ..., and finally "collect" the plurality of entities and collection metadata before analyzing the condition of the usage environment of the user terminal from the packaged metadata. terminal.

The Examiner respectfully disagrees with the Applicant. The Examiner notes that Applicant Specification Page 4 Lines 30-35 and Page 8 Lines 20-35 indicate that a request for content is received before analyzing/obtaining content. The claimed invention requires user input and knowledge of the user terminals before analyzing/obtaining the content. Thus the Examiner does not detect any distinction between

Art Unit: 2444

Lamkin and the claimed invention because they both require user input and knowledge of the user terminals before analyzing/ obtaining the content.

The Examiner respectfully requests clarification and the pertinent portions of the Applicant Specification regarding wherein the *present invention does not require the request, search.*

Further while Lamkin disclosed an embodiment wherein Lamkin receives a request for content, Lamkin is not limited to this embodiment.

Lamkin disclosed (re. Claim 32) providing the desired content to the user terminal '*without receiving a request from the user terminal and without any need for searching for the determined content*'. (Lamkin- Paragraph 203, Paragraph 240 *searches for content using automated agent NCAA and stores the collection of content*, Paragraph 518, *based on a set of presentation rules or user profiles*, Paragraph 35. Since Lamkin stores the *presentation rules or user profiles* Lamkin is able to collect content without a specific request from a user. Further since Lamkin stores the collection of content Lamkin is able to repeatedly provide the stored content without having to search.

Thus Lamkin disclosed providing the desired content to the user terminal '*without receiving a request from the user terminal and without any need for searching for the determined content*'.

Art Unit: 2444

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 32-39,41-43,49,51-57,59-61,67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamkin (US Publication 2004/0220926) further in view of Benitez (US Patent 7185049).

The Examiner notes that Applicant Specification Page 4 Lines 30-35 and Page 8 Lines 20-35 indicate that a request for content is received before analyzing/obtaining content. The claimed invention requires user input and knowledge of the user terminals before analyzing/ obtaining the content.

Lamkin disclosed (re. Claim 32) (new) a contents service providing system, the system comprising:

an analyzing unit for analyzing conditions of a usage environment of a user terminal based on package metadata and determining contents matched with the conditions; (Lamkin-Paragraph 165-Paragraph 167)

and

a providing unit for providing the determined contents to the user terminal, (Lamkin-Paragraph 155-Paragraph 167, '*collection of content*')

wherein the targeting condition metadata includes component metadata for describing attributes of the contents, relation metadata for describing temporal/spatial relation of

Art Unit: 2444

the contents, (Lamkin-Paragraph 376) and targeting condition metadata for describing the conditions, wherein the targeting condition metadata (Lamkin-Paragraph 31, receive search parameter for collecting desired content, Paragraph 164, search criteria provided by the user for acquiring content) and is capable of targeting the contents to the user terminal and the relation metadata enables to consume (Lamkin-Paragraph 273, *SMIL Timing provides attributes that can be used to specify an elements timing behavior*) a variety of contents with the temporal/spatial relation in the user terminal. (Lamkin-Paragraph 116, *presentation layout engine determines how and where on the presentation device the content will be displayed to the user*)

Lamkin disclosed a content manager to setup a graceful degradation of the presentation according the user input conditions. The collection of content 1150 also includes collection metadata. The collection metadata can include information about when along the timeline each of the entities will be displayed in relation to the other entities.

The Examiner interprets the spatial relationship as regarding specific region on the display screen for multiple sub-window as per Applicant Specification Table 11 Page 24.

Lamkin Paragraph 381 disclosed wherein the metadata includes, for example, a location of the entity which is used by the content manager to properly place the entity within a collection and is also is used to stitch the varies entities within a collection together using a declarative language model, where each element in the XML file

Art Unit: 2444

instructs the system what is to be shown at a specific time along a master timeline to further allow real-time, retrieval, rendering and stitching of entities.

Lamkin Paragraph 16-117, Figure 11, Figure 24-26, Paragraph 530, Paragraph 536 disclosed wherein the presentation layout engine 216 determines where on the presentation device different entities within a collection will be displayed by reading collection metadata and/or entity metadata. The content manager 470 delivers to the presentation layout manager 462 the information to display the entities on the screen and controls the positioning, layers, overlays, and overall output of the presentation layout manager 462. The sub windows are maintained in a separate frame buffer from the content area and its orientation is sent to the compositor (in X, Y coordinates) for the compositor to move and refresh.

Thus the Lamkin metadata disclosed spatial metadata describing *relative locations (on the display screen of the device) of the contents consumption*.

Furthermore Lamkin Paragraph 138 describes where the media subsystem 302 controls the display of content based upon the presentation device 310 available and the outside environment the presentation device is being viewed in.

Thus Lamkin Paragraph 138 disclosed wherein *appropriate content of package metadata is received at the user's device being based on the user's own environment*.

Lamkin disclosed (re. Claim 32) *wherein the relation metadata include temporal relation information based on contents consumption such that the temporal relation information describes a temporal sequence for the user's particular device* ‘

Lamkin disclosed (re. Claim 32) *wherein the spatial relation information is also based on the contents consumption such that the spatial relation information describes relative location for the user particular device, wherein the content consumption is configured based on the targeting condition metadata for the described conditions'* (Lamkin-Paragraph 138, *controls the display of content based upon the presentation device 310 available and the outside environment the presentation device is being viewed in*)

While Lamkin and Benitez have overlapping disclosures regarding temporal/spatial information Lamkin did not disclose specific details regarding said temporal/spatial information.

While Lamkin substantially disclosed the claimed invention Lamkin did not disclose (re. Claims 32) wherein the metadata includes relation metadata for describing temporal/spatial relation of the content. Lamkin did not disclose (re. Claims 41,59) wherein the temporal relation information includes MPEG-7 MDS TemporalRelation CS information; (re. Claim 42,60) wherein the spatial relation information includes MPEG-7 MDS BaseRelation CS information; (re. Claim 43,61) wherein the spatial relation information includes MPEG-7 MDS SpatialRelation CS information.

Benitez disclosed (re. Claims 32) wherein the metadata includes relation metadata for describing temporal/spatial relation of the content. (Benitez-Column 12 Lines 1-25)

Benitez disclosee (re. Claims 41,59) wherein the temporal relation information includes MPEG-7 MDS TemporalRelation CS information; (Benitez-Column 12 Lines 1-25) (re. Claim 42,60) wherein the spatial relation information includes MPEG-7 MDS BaseRelation CS information; (Benitez-Column 12 Lines 1-25) (re. Claim 43,61) wherein the spatial relation information includes MPEG-7 MDS SpatialRelation CS information. (Benitez-Column 12 Lines 1-25)

Lamkin disclosed (re. Claim 32) providing the desired content to the user terminal *'without receiving a request from the user terminal and without any need for searching for the determined content'*. (Lamkin- Paragraph 203,Paragraph 240 *searches for content using automated agent NCAA and stores the collection of content*, Paragraph 518, *based on a set of presentation rules or user profiles*, Paragraph 35. Since Lamkin stores the *presentation rules or user profiles* Lamkin is able to collect content without a specific request from a user. Further since Lamkin stores the collection of content Lamkin is able to repeatedly provide the stored content without having to search.)

Lamkin and Benitez are analogous art because they present concepts and practices regarding the use of metadata to filter and render the multimedia content according to user preferences. At the time of the invention it would have been obvious

Art Unit: 2444

to combine Benitez into Lamkin in order to enable flexible description schemes for describing multimedia data. (Benitez-Column 4 Lines 45-55)

Claim 50 (re. a method for generating package metadata) is rejected on the same basis as Claim 32.

Lamkin-Benitez disclosed (re. Claim 33,51) wherein the component metadata include: component description metadata for describing general particulars of a component; (Lamkin-Paragraph 383-Paragraph 385) image component metadata for describing image attributes of an image component; (Lamkin-Paragraph 383-Paragraph 385) video component metadata for describing video attributes of a video component; audio component metadata for describing audio attributes of an audio component; (Lamkin-Paragraph 383-Paragraph 385) and application program component metadata for describing application program attributes of an application program component. (Lamkin-Paragraph 178-184, Paragraph 383-Paragraph 385)

The motivation to combine described in Claim 32 applies to Claim 33,51.

Lamkin-Benitez disclosed (re. Claim 34,52) wherein the image attributes include a file size, a coding format, and a vertical/horizontal screen size. (Lamkin-Paragraph 137, Paragraph 163, 'screen size')

The motivation to combine described in Claim 32 applies to Claim 34,52.

Lamkin-Benitez disclosed (re. Claim 35,53) wherein the video attributes include

Art Unit: 2444

coding format, and a vertical/horizontal screen size. (Lamkin-Paragraph 137, Paragraph 163, *'screen size'*)

The motivation to combine described in Claim 32 applies to Claim 35,53.

Lamkin-Benitez disclosed (re. Claim 36,54) wherein the audio attributes include a file size, a coding format, and channel information. (Lamkin-Paragraph 137, Paragraph 163)

The motivation to combine described in Claim 32 applies to Claim 36,54.

Lamkin-Benitez disclosed (re. Claim 37,55) component metadata for describing general information on the components and information for each type of components (Lamkin-Paragraph 194, Paragraph 324-Paragraph 328) including file size (Lamkin-Paragraph 352, *'size of the file'*)

The motivation to combine described in Claim 32 applies to Claim 37,55.

Lamkin-Benitez disclosed (re. Claim 38,56) wherein the component metadata includes contents description metadata having a title, descriptive information (synopsis), and keywords of the contents. (Lamkin-Paragraph 194, Paragraph 324-Paragraph 328, Paragraph 227, *'keywords and description'*)

The motivation to combine described in Claim 32 applies to Claim 38,56.

Lamkin-Benitez disclosed (re. Claim 39,57) wherein the component metadata includes application program attributes metadata having application program classification information of an application program. (Lamkin-Paragraph 194, Paragraph 324-Paragraph 328, '*ratings classification*')

The motivation to combine described in Claim 32 applies to Claim 39,57.

Lamkin-Benitez disclosed (re. Claim 40,58) wherein the relation metadata include: interaction relation information for describing relative importance between the components; (Lamkin-Paragraph 376) temporal relation information for describing a temporal sequence of component consumption; (Lamkin-Paragraph 376) and spatial relation information for describing relative locations of the components on presentation based on a user interface. (Lamkin-Paragraph 376)

The motivation to combine described in Claim 32 applies to Claim 40,58.

Lamkin-Benitez disclosed (re. Claims 41,59) wherein the temporal relation information includes MPEG-7 MDS TemporalRelation CS information; (Benitez-Column 12 Lines 1-25) (re. Claim 42,60) wherein the spatial relation information includes MPEG-7 MDS BaseRelation CS information; (Benitez-Column 12 Lines 1-25) (re. Claim 43,61) wherein the spatial relation information includes MPEG-7 MDS SpatialRelation CS information. (Benitez-Column 12 Lines 1-25)

The motivation to combine described in Claim 32 applies to Claim 41,42,43.

Art Unit: 2444

Lamkin-Benitez disclosed (re. Claims 49,67) wherein the package metadata includes reference information including identification information for describing locations of the contents.(Lamkin-Paragraph 384)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44-48, 62-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamkin (US Publication 2004/0220926) further in view of Benitez (US Patent 7185049) further in view of Errico (US Patent 7055168).

Lamkin-Benitez disclosed (re. Claim 44,62) wherein the targeting condition metadata include: user condition information for describing user environment characteristics; (Lamkin-Paragraph 165-Paragraph 167)

terminal condition information for describing terminal environment characteristics; (Lamkin-Paragraph 165-Paragraph 167)

and natural environment information for describing natural environment characteristics such as the location of a terminal. (Lamkin-Paragraph 113, Paragraph 138)

While Lamkin-Benitez substantially disclosed the claimed invention Lamkin-Benitez did not disclose (re. 44 ,62) network condition information for describing network environment characteristics connected with the terminal.

Errico disclosed (re. 44,62) wherein the network environment characteristics include a bandwidth of a network connected with the terminal, a delay characteristic and an error characteristic. (Errico-Column 37 Lines 1-15)

Lamkin,Benitez and Errico are analogous art because they present concepts and practices regarding the use of metadata to filter and render the multimedia content according to user preferences. At the time of the invention it would have been obvious to combine Errico into Lamkin in order to enable users to maintain/specify multiple separate user preference descriptions corresponding to, for example, different locations (e.g., at home, at the office, away from home, stationary versus traveling in a vehicle), different situations.

Lamkin-Benitez-Errico disclosed (re. Claim 45,63) wherein the user environment characteristics include a user preference, (Lamkin-Paragraph 20) user history, (Lamkin-Paragraph 325) surge information and visual/auditory difficulty information. (Lamkin-Paragraph 165-Paragraph 167)

Lamkin-Benitez-Errico disclosed (re. Claim 46,64) wherein the terminal environment characteristics include codec capability, device attributes, and input/output characteristic information. (Lamkin-Paragraph 165-Paragraph 167)

Lamkin-Benitez-Errico disclosed (re. Claim 47,65) wherein the network condition information includes network capability information. (Errico-Column 37 Lines 1-15)

Lamkin-Benitez-Errico disclosed (re. Claim 48,66) wherein the natural environment characteristics include characteristics of audio/visual aspects, location information, and usage time of a digital item. (Lamkin-Paragraph 113, Paragraph 138)

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREG BENGZON whose telephone number is (571)272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2444

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg Bengzon/
Examiner, Art Unit 2444